

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x		MH8329
AHMED BELARBI,	:	
	:	Civil Action No.
Plaintiff,	:	08 Civ 6619 (LBS)
	:	
- against -	:	
	:	
ROYAL AIR MAROC,	:	<b>ANSWER</b>
	:	
Defendant.	:	
----- x		

Defendant ROYAL AIR MAROC ("RAM"), by and through its attorneys  
Condon & Forsyth LLP as and for its Answer to the Notice of Claim and Summons to Appear:

1. Denies the allegations in the Notice of Claim and Summons to Appear.

**AS AND FOR A FIRST SEPARATE AND  
COMPLETE AFFIRMATIVE DEFENSE**

2. The Notice of Claim and Summons to Appear fails to state a claim upon which relief can be granted.

**AS AND FOR A SECOND SEPARATE  
AND COMPLETE AFFIRMATIVE DEFENSE**

3. The transportation out of which the subject matter of this action arose was "international transportation" within the meaning of the Convention for the Unification of Certain Rules for International Carriage by Air, opened for signature on 29 May 1999 *reprinted in* S. Treaty Doc. 106-45, 1999 WL 33292834 (entered into force November 4, 2003) (hereinafter "Montreal Convention") and the rights of the parties are subject to, limited by or barred pursuant to the provisions of the Montreal Convention.

WHEREFORE, defendant ROYAL AIR MAROC demands judgment dismissing the Notice of Claim and Summons to Appear in its entirety or, together with the costs and disbursements of this action and such other and further relief which this Court deems just and proper.

Dated: New York, New York  
July 25, 2008

CONDON & FORSYTH LLP

By   
Michael J. Holland  
MH 8329

A Partner of the Firm  
Attorneys for Defendant  
ROYAL AIR MAROC  
7 Times Square  
New York, New York 10036  
(212) 490-9100

TO: Mr. Ahmed Belarbi  
Plaintiff *Pro Se*  
184 E. 3<sup>rd</sup> Street  
Apartment 2F  
New York, New York 10009  
(347) 685-4693

**AFFIDAVIT OF SERVICE BY MAIL**

[illegible]

Mary Ann Rooney, being duly sworn, deposes and says that deponent is not a party to the action, is over 18 years of age and resides in Queens, New York. That on the 25th day of July, 2008 deponent served the within Answer upon:

Mr. Ahmed Belarbi  
184 E. 3<sup>rd</sup> Street  
Apartment 2F  
New York, New York 10009

At the addresses designated by said individual for that purpose by depositing same enclosed in a postpaid properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Post Office Department within the State of New York.

Sworn to before me this  
25th day of July, 2008

Notary Public

Mary Ann Rooney

**MICHAEL J HOLLAND**  
Notary Public, State of New York  
No. 41-4501283  
Qualified in Nassau County  
Commission Expires August 31, 2009